

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLINT C. EDWARDS,

Plaintiff,

v.

WESTCHESTER COUNTY, NATHANIEL  
RAWICKI, M.D.,

Defendants.

USA  
DOCUMENT  
ELECTRONIC  
DOC #: \_\_\_\_\_  
DATE FILED: *2/28/20*

**ORDER**

19 CV 7444 (VB)

Plaintiff, who is proceeding pro se and in forma pauperis, brings this action under 42 U.S.C. § 1983, alleging defendants violated his constitutional rights.

On December 24, 2019, defendant Westchester County filed a motion to dismiss. (Doc. #32). On January 7, 2020, plaintiff requested permission to file an amended complaint, which the Court granted. (Docs. ##36–37). In its Order, the Court extended plaintiff's time to file an amended complaint to February 4, 2020. (Doc. #37).

Having not heard from plaintiff, on February 13, 2020, the Court sua sponte extended plaintiff's time to file an amended complaint to February 20, 2020, and notified plaintiff that if he failed to file an amended complaint his opposition to the motion would be due February 27, 2020. (Doc. #38).

On February 20, 2020, the Court extended defendant Rawicki's time to answer, move, or otherwise respond to the complaint to March 5, 2020. (Doc. #41). On February 25, 2020, defendant Rawicki filed a motion to dismiss the complaint. (Doc. #44).

On February 24, 2020, plaintiff wrote to the Court to: (i) provide an updated address; (ii) explain he recently had surgery, is in the infirmary, and cannot access the law library; and (iii) request that his case be dismissed without prejudice so that he can prosecute his claims once he is able to do so, at a future date. (Doc. #46).

Pursuant to Fed. R. Civ. P. 41(a)(2), plaintiff's request to dismiss the case without prejudice is GRANTED.

The Clerk is instructed to terminate the pending motions (Docs. ##32, 44) and close this case.

The Clerk is also instructed to update plaintiff's address on the docket and to mail a copy of this Order to plaintiff at his updated address.

Clint Edwards  
DIN#: 19A1720  
Sing Sing Correctional Facility  
354 Hunter Street  
Ossining, New York 10562

Dated: February 28, 2020  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti", is written over a horizontal line.

Vincent L. Briccetti  
United States District Judge